

**CITY OF ALAMEDA
COMMUNITY DEVELOPMENT DEPARTMENT**

ADMINISTRATIVE USE PERMIT

ITEM NO: 3-B

APPLICATION NO: PLN09-0158 – Verizon Wireless – 625 W. Ranger Avenue

PROJECT DESCRIPTION: Design Review and Use Permit Amendment (PLN09-0158) to PLN10-0026, and by reference UP00-13 and DR-00-65, for the addition of nine panels on the existing monopole, GPS units. The new panels distributed across three sectors, will be located at 102.9' on the pole. The applicant also proposes a new equipment storage area (16' X 32') surrounded by a new 6' fence, underground routing, and a new 30 KW diesel generator with a 132 gallon fuel tank at 625 West Ranger Avenue directly adjacent to the existing monopole.

GENERAL PLAN: Mixed Use

ZONING: M-2-G, General Industrial (Manufacturing) District, Special Government Combining District

ENVIRONMENTAL DETERMINATION: Categorically Exempt from State CEQA Guidelines, Section 15301(b) - Existing Facilities.

PROJECT PLANNER: Simone Wolter, Planner II

PUBLIC NOTICE: A notice for this hearing was mailed to property owners and residents within 300 feet of the site, published in local newspapers and posted in public areas near the subject property. Staff has not received any public comments on this proposed project.

ATTACHMENTS: 1. Site Plan
2. Navy Approval Letter

ACRONYMS: AMC – Alameda Municipal Code
ARRA – Alameda Reuse and Redevelopment Authority

RECOMMENDATION: Find that the project will not cause significant adverse effects to the physical environment, is Categorically Exempt from environmental review and approve the project with conditions based on the following findings:

USE PERMIT FINDINGS:

- 1. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.**

The project is a continuation of an existing use, authorized by a previous Interim Use Permit (PB-00-54) that has expired. No new construction is proposed.

- 2. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.**

The project is an existing unmanned wireless communication facility and has no transportation impacts.

- 3. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have deleterious effects on existing business districts or the local economy.**

The continuation of this use is compatible with the surrounding interim uses of this underutilized former naval air station. The site is not within the proposed U.S. Fish and Wildlife refuge area or the Least Tern area.

- 4. The proposed use relates favorably to the General Plan.**

The site is located within an area designated as Mixed Use and the proposed interim use is compatible with the vision for Alameda Point; it will serve to enhance wireless communications in this section of the City.

INTERIM LEASE PROGRAM FINDINGS:

The Interim Leasing Program was adopted by the City Council on October 9, 1995. The uses under the Interim Leasing Program include a modified listing of uses permitted in the M-2 district. The maximum time limit for an interim use is established at the time the Use Permit is approved, but may not be longer than ten years. When the Interim Leasing Program was adopted, a number of mitigations from the Initial Study and other conditions were identified. These have been applied to Alameda Point Use Permits as standard conditions. This application requires a new Use Permit because the original Use Permit expired on June 26, 2007. Use Permits issued under the Interim Leasing Program are subject to the following findings:

- 1. The interim use is approved for a limited time, not to exceed the maximum time frame set forth in the interim leading program criteria.**

The Use Permit governing the operation of a monopole at this location PLN10-0026, and by reference UP00-13 and DR-00-65 is approved for a maximum term of no more than ten (10) years.

- 2. The interim use utilizes existing facilities and does not require substantial new development.**

The applicants propose to expand the existing facilities at this site. The applicant will add a 16x32' fenced area to contain an emergency power generator, diesel tank, and equipment cabinets for the wireless facilities. The height of the 100' monopole will not

be increased. However, 9 new panel antennas will be added to the monopole. According to the original approval (PB-00-54), this project utilizes a type of monopole can be disassembled, relocated, and reassembled; and repurposed a former Navy building and electrical equipment on the site.

3. The interim use will not disrupt on-going operations of the government entity should the interim use occur concurrent with continuing operations by the government entity.

On July 28, 2011 the Navy staff have approved the project. Furthermore, all military use at the former Navy base has ceased and there are no additional government activities that that would be disrupted by the proposed use.

4. The interim use will not be detrimental to the ultimate redevelopment of the property or the potential resumption of use of the property by the government entity.

All structures are of a temporary nature and can be removed at the onset of redevelopment. Therefore, the project would not restrict future redevelopment of the property.

5. The interim use is consistent with an interim-leasing program adopted by the City.

Conditions established for interim leases have been applied to the project. This Use Permit is proposed for an interim basis.

CONDITIONS:

1. Term. This Interim Use Permit is valid for the extent of the lease with ARRA or ten years after the date of approval (April 6, 2020), whichever occurs first. Subject to AARA approval, the applicant may request a new Interim Use Permit in 2020.
2. Limitation of Use: This Use Permit is for the operation of a telecommunications tower on an existing monopole and building with electrical equipment. The use would generate no employees or customers, and a maximum of two truck trips per month.
3. Navy: The applicant shall provide to the Navy a notice of the installation start and completion dates of construction, as well as before and after photos.
4. Electrical: The applicant must submit a complete plan for electric service when applying for an electrical permit. The applicant is responsible for the service conductor. The size of the existing conductor must be adequate for the existing services as well as the additional load from the new service.
5. Leasing Area: The applicant shall have completed and signed a lease area amendment to the leasing agreement for this location with Staff from Community Development Department, formerly Development Services Department prior to submittal for building permits.
6. Public Works:
 - a. Final Approval to be granted upon submittal of final construction drawings.
 - b. Show all existing easements on the plan sets.
 - c. All improvements must be within the approved easement.

- d. The applicant must provide a traffic control plan specific to the areas of construction and the existing conditions at that site.
 - e. All pedestrian traffic shall be properly detoured at the construction site in accordance with the California MUTCD (Manual on Uniform Traffic Control Devices) and ADA guidelines.
 - f. Signal Interference: The permittee must guarantee that the proposed wireless service at the above location will not interfere with the operation of the City's 800 MHZ communication system or the 928/952 MHZ System Control and Data Acquisition (SCADA) System. The permittee must agree to reimburse the City for all costs to locate and correct interference, if it is traced back to the permittee's site.
 - g. A concrete/encroachment permit will be required for all work in the public right of way.
 - h. The construction sites must be USA's before any excavation is done.
 - i. Trenching, repairs to trenching, and repairs to the sidewalk must be per the City's Standard Plans.
7. Hazardous Materials. The storage and handling of all hazardous and toxic materials shall not be permitted as part of this Use Permit.
 8. Least Tern: Employees of the applicant shall be prohibited from entering wetlands areas or endangered species habitat areas, particularly the California Least Tern habitat southwest of building 25. Interim users shall post information, to be provided by AARA, regarding the value of the habitat areas on the basis the reasons for restrictions on human activity, and shall cooperate in educational programs on these subjects.
 9. Revocation: This Use Permit may be modified or revoked by the Zoning Administrator, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.
 10. Indemnification: The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, its Redevelopment Agency, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda Redevelopment Agency, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, the City of Alameda Redevelopment Agency or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

DECISION:

Environmental Determination

The Zoning Administrator has determined that this project is Categorically Exempt from environmental review, pursuant to the CEQA Guidelines Section 15301(b) - Existing Facilities.

Use Permit

The Zoning Administrator approves the Use Permit with conditions.

The decision of the Zoning Administrator shall be final unless appealed to the Planning Board, in writing and within ten (10) days of the decision.

Approved by: _____

Date: August 16, 2011

Margaret Kavanaugh-Lynch
Zoning Administrator

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